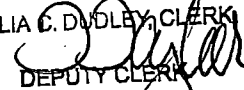


AUG 31 2015

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

HOWARD Z. GARNETT,  
Petitioner,

v.

HAROLD W. CLARKE  
Respondent.

) Civil Action No. 7:14-cv-00452  
)  
)

) FINAL ORDER  
)

) By: Hon. Glen E. Conrad  
) Chief United States District Judge  
)

In accordance with the accompanying memorandum opinion, it is hereby **ADJUDGED AND ORDERED** that respondent's motion to dismiss is **GRANTED**; the petition for a writ of habeas corpus under 28 U.S.C. § 2254 is **DISMISSED**; and this action is stricken from the court's active docket.

Furthermore, finding that Garnett has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 31<sup>st</sup> day of August, 2015



CHIEF UNITED STATES DISTRICT JUDGE